

BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

MINUTES OF THE MEETING OF THE BOARD

DATE: 21 November 2007

PLACE: Department of Administration

1 Capitol Hill 2nd floor, Conference Room B

Providence, RI 02908

MEMBERS PRESENT: Messieurs: Bernardo, Moore, Fairbanks, Jr. and Smith

MEMBERS ABSENT: Nicholas W. Capezza, Jr.

OTHERS PRESENT: Adams Sholes, Legal Counsel, Attorney General Peter N. Dennehy, Esq.

Lois Marshall, Administrative Assistant

CALLED TO ORDER: Chairman Bernardo called the meeting to order at 12:06 PM to commence Board business.

NEW BUSINESS:

(1) Mr. Smith made a motion to accept the minutes of the 17 October 2007 meeting. Vice Chairman Moore seconded the motion. Motion carried.

(2) Mr. Smith made a motion to approve and seal the minutes of the Executive Sessions of 17 October 2007. Vice Chairman Moore

seconded the motion. Motion carried.

EXECUTIVE SESSION

Mr. Fairbanks, Jr. made a motion at 12:19 PM to move into Executive Session pursuant to RI General Laws, Section §42-46(5)(a)(2) for sessions pertaining to collective bargaining or litigation. Vice Chairman Moore seconded the motion. Motion carried.

Mr. Fairbanks, Jr. moved to adjourn from executive session and reconvene to open meeting at 1:36PM pursuant to R.I.G.L. -§42-46-5(a)(2); §42-46-5(a)(4); for sessions and work sessions pertaining to collective bargaining or litigation and any investigative proceedings regarding allegations of misconduct, either civil or criminal and to seal the minutes of the meeting. Vice Chairman Moore seconded the motion. Motion carried.

Mr. Fairbanks, Jr. made a motion to reaffirm in open session the vote to authorize Mr. Smith and Attorney Dennehy to work out the final language on a settlement agreement for C2006-3 Richard Lipsitz vs. Adam Baron. Vice Chairman Moore seconded the motion. Motion carried. Mr. Fairbanks, Jr. made a motion to reaffirm in open session the vote to close the potential complaint against Ellerbe Becket, Inc and open a potential complaint against Thorton Thomaselli/ Gary Storm, PE and a potential complaint against Mr. Lockhart for practicing out of his area of expertise. Vice Chairman Moore seconded the motion. Motion carried. Mr. Fairbanks, Jr. made a

motion to reaffirm in open session the vote to close C2007-9 Steven M. Sincere vs. Frank L. Bennardo, PE. Vice Chairman Moore seconded the motion. Motion carried Mr. Fairbanks, Jr. made a motion to reaffirm in open session the vote to close C2007-10 CDW Consultants, Inc. vs. Daniel Campbell, PE. Vice Chairman Moore seconded the motion. Motion carried. Mr. Fairbanks, Jr. made a motion to reaffirm in open session the vote to close C2007-14 The Rhode Island Board of Engineers vs. Merrill Associates on conditional approval of Merrill Associates Certificate of Authorization. Vice Chairman Moore seconded the motion. Motion carried

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(3) Election of Officers for 2008

Mr. Smith made a motion that since Chairman Bernardo has been working with the other Board chairs and Director Marques of DBR on the combining of the Boards into one Board under DBR that the election of officers be deferred until after this matter has been resolved. Vice Chairman Moore seconded the motion. Motion carried.

(4) PE Comity Application Pricing

Chairman Bernardo explained that the Board was readdressing this issue because it is multi faceted. Mr. Smith made a motion to keep

the price of comity applications at its current level of \$100.00. Vice Chairman Moore seconded the motion. Motion carried.

(5) Correspondence from Doug McGuirt Corporate Communications Editor for NCEES

NCEES will be dropping the Environmental portion of the Civil Modules and combining it with Water Resources. NCEES will also be adding a Construction Module.

(6) NCEES Member Board Examination List

So noted and filed.

(7) NCEES Revised Calculator List

So noted and filed.

(8) Notice of Future Changes to NCEES Examinations

So noted and filed.

(9) Correspondence from Jeremy Miller/Lois law Content Management Assistant

Chairman Bernardo asked that this matter be placed on hold. He will review this correspondence and report his findings to the Board at their next scheduled meeting.

(10) Review of the PE and FE applications

Chairman Bernardo stated that we post the changes in the

examination application fees on our website effective January 1, 2008. Mr. Smith stated that the Board would need three separate applications. A tax affidavit will need to be added to all applications per Rhode Island State Law. Chairman Bernardo asked Mr. Smith to assist Ms. Marshall with the changes to be implemented to both the PE and FE applications.

APPLICATIONS

(11) G.W. Preiss and Son, LLC

To date the Board has not received a response from Mr. Preiss. Chairman Bernardo asked that this matter be placed on the 16 January 2008 agenda.

(12) Nathaniel S. Balch

To date the Board has not received a response from Mr. Balch. Chairman Bernardo asked that this matter be placed on the January 2008 agenda.

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P.E. COMITY:

Mr. Smith made a motion to grant comity to the following individuals in the disciplines specified. Vice

Chairman Moore seconded the motion. Motion carried.

Bigbie, Mark N. TX Elec. Lassiter, Michael L. NC Civil

Bosco, John B. PA Civil Perez, Lawrence CA Civil

Carson, Harry F. NJ Elec. Piercey, Martin L. MI Civil

Chapman, Michael P. OH Elec. Roote, Dennis NY Civil

Clark, Chadwicke L. GA Civil Schweizer, Robert E. TX Civil

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Jensen, Wallace N. MN Elec. Simbro, Thomas MA Civil

Kelley, Pamela S. ME Civil Trihahn, Scott R. IL Civil

Lach, Thomas S. NE Civil White, II, Floyd D. TN Elec.

P.E. COMITY DENIED

Mr. Smith made a motion to deny comity to the following individual because he took the PE exam five times and therefore does not meet Rhode Island law and to notify the New York Board. Vice Chairman Moore seconded the motion. Motion carried.

Mo M. Malekshahi

E.I.T. NON-ABET 2 YEARS EXPERIENCE:

Mr. Smith made a motion to grant an E.I.T. certificate to the following individual. Vice Chairman Moore seconded the motion. Motion carried.

Denat, Michael F.

C.O.A. APPLICATIONS;

Motion was made by Mr. Fairbanks, Jr. to approve the applications for Certificates of Authorization listed on the November 21, 2007 list for Corporations, COA'S renewing, and Soles as noted in the specific disciplines mentioned with the exception of (0), which was denied. Vice Chairman Moore seconded the motion. Motion carried.

ADJOURNED:

Chairman Bernardo informed the Board that the next Board meeting would be scheduled for 16 January 2008 at 12:00 noon. Motion was made by Mr. Smith to adjourn the meeting at 1:51 PM. Mr. Fairbanks, Jr. seconded the motion. Motion carried.

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C. O. A. APPLICATIONS

Board Meeting of 21 November 2007

SOLES PAID COMMENTS

MICHAEL L. WRIGHT, P.E. - 0 - APPROVED IN ELECTRICAL

PARNTERSHIP

**KALLEN & LEMELSON APPROVED IN M/E/P
COA#4035 - Add resp charge Nabil A. Yacoub**

LIMITED LIABILITY COMPANY

McBRIE LLC \$125. APPROVED IN STRUCTURAL

SITE DESIGN ENGINEERING, LLC \$125. APPROVED IN CIVIL

C. H. VOGT, LLC - 0 - APPROVED IN STRUCTURAL

CORPORATIONS

**ADVANCED CIVIL DESIGN, INC. - 0 - APPROVED IN CIVIL
COA#5672 - Add resp charge Curtis S. Ruotolo**

**AMEC EARTH & ENVIRONMENTAL, INC. - 0 - APPROVED IN CIVIL &
CHEMICAL**

COA#5756 - Add resp charges Eric T. Reitter and Celeste Hunt

BECHTEL COMMUNICATIONS, INC. \$125. APPROVED IN CIVIL ONLY

ENGINEERED DESIGN GROUP \$125. APPROVED IN MECHANICAL ONLY

KTA GROUP, INC. APPROVED IN MECHANICAL ONLY

COA#5692 - Change resp charge from: John Farrell to Kevin Brightwell

No response rec'd to 9/19/07 correspondence to Spencer Neufeld

MERRILL ASSOCIATES, INC. \$125. APPROVED IN CIVIL

SIMPSON GUMPERTZ & HEGER, INC. - 0 - APPROVED

COA#8171 - Add resp. charge Jeffry J. Ceruti

WEIDLINGER ASSOCIATES, INC. \$125. APPROVED IN STRUCTURAL

UP FOR DENIAL -- No response to request for Good Standing

TELVENT FARRADYNE, INC. HOLD FOR 30 DAYS FOR GOOD STANDING